

Andrew Karonis (AK5377)  
 SCHINDEL, FARMAN, GARDNER & RABINOVICH, LLP  
 14 Penn Plaza, Suite 500  
 New York, NY 10122  
 Telephone No.: (212) 563-1710  
 Attorneys for Defendant Exclusive Transportation for Industry, Inc.

UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK

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SANOFI PASTEUR, INC., f/k/a AVENTIS	:	ECF CASE
PASTEUR, INC., and Cargo Insurers,	:	
	:	
Plaintiffs,	:	07 Civ. 6354 (BSJ)
	:	
-against-	:	<b>ANSWER TO</b>
	:	<b>KUEHNE &amp; NAGEL, INC.</b>
KUEHNE & NAGEL, INC.; KUEHNE &	:	<b>CROSS-COMPLAINT</b>
NAGEL, S.A.; EXCLUSIVE TRANSPORTATION:	:	
FOR INDUSTRY, INC.; CONTINENTAL	:	
AIRLINES, INC.;	:	
	:	
Defendants.	:	
----- X		

Defendant Exclusive Transportation for Industry, Inc. ("ETI"), by its attorneys,  
 Schindel, Farman, Lipsius, Gardner & Rabinovich LLP, for its answer to the Cross-Complaint  
 of Kuehne & Nagel, Inc. ("Kuehne & Nagel") states as follows:

1. ETI denies each and every allegation set forth in paragraph 25 of Kuehne & Nagel's Answer and Cross-Complaint as they pertain to ETI, except denies knowledge or information sufficient to form a belief as to the truth of each and every allegation set forth in paragraph 25 of Kuehne & Nagel's Answer and Cross-Complaint as they pertain to the remaining defendants.

2. ETI denies each and every allegation set forth in paragraph 26 of Kuehne & Nagel's Answer and Cross-Complaint as they pertain to ETI, except denies knowledge or

information sufficient to form a belief as to the truth of each and every allegation set forth in paragraph 26 of Kuehne & Nagel's Answer and Cross-Complaint as they pertain to the remaining defendants.

3. ETI denies each and every allegation set forth in paragraph 27 of Kuehne & Nagel's Answer and Cross-Complaint as they pertain to ETI, except denies knowledge or information sufficient to form a belief as to the truth of each and every allegation set forth in paragraph 27 of Kuehne & Nagel's Answer and Cross-Complaint as they pertain to the remaining defendants.

4. ETI denies each and every allegation set forth in paragraph 28 of Kuehne & Nagel's Answer and Cross-Complaint as they pertain to ETI, except denies knowledge or information sufficient to form a belief as to the truth of each and every allegation set forth in paragraph 28 of Kuehne & Nagel's Answer and Cross-Complaint as they pertain to the remaining defendants.

5. ETI denies each and every allegation set forth in paragraph 29 of Kuehne & Nagel's Answer and Cross-Complaint as they pertain to ETI, except denies knowledge or information sufficient to form a belief as to the truth of each and every allegation set forth in paragraph 29 of Kuehne & Nagel's Answer and Cross-Complaint as they pertain to the remaining defendants.

#### AFFIRMATIVE DEFENSES AND GENERAL ALLEGATIONS

1. ETI incorporates each and every affirmative defense set forth in ETI's Answer to Plaintiff's Complaint with Cross-Claims [Docket Entry No. 6] as if though more fully set forth herein.

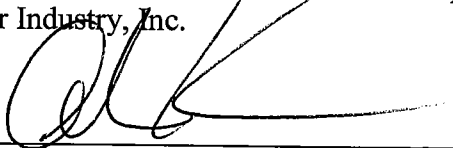
2. ETI incorporates each and every cross-claim set forth in ETI's Answer to Plaintiff's Complaint with Cross-Claims [Docket Entry No. 6] as if though more fully set forth herein.

3. ETI reserves its right to assert any further defenses or cross-claims as knowledge of such defenses or cross-claims is discovered.

WHEREFORE, ETI requests judgment against Kuehne & Nagel, dismissing the latter's cross-claims against ETI, together with costs, fees and such further relief as this Court deems just and proper.

Dated: October 5, 2007  
New York, New York

SCHINDEL, FARMAN, LIPSIOUS, GARDNER &  
RABINOVICH LLP  
Attorneys for Defendant Exclusive Transportation  
for Industry, Inc.

By:   
Andrew Karonis (AK5377)  
14 Penn Plaza, Suite 500  
New York, New York 10122  
(212) 563-1710

TO: David L. Mazaroli, Esq.  
11 Park Place, Suite 1214  
New York, NY 10007-2801  
Attorney for Plaintiff

Francis A. Montbach, Esq.  
Mound Cotton Wollan & Greengrass  
One Battery Park Plaza  
24 Whitehall Street  
New York, NY 10004  
Attorneys for Defendant Continental Airlines, Inc.

Ernest H. Gelman, Esq.  
350 Fifth Avenue, Suite 4908  
New York, NY 10118  
Attorney for Defendant Kuehne & Nagel, Inc.